

REMARKS

Initially, Applicant respectfully acknowledges that the Examiner has allowed claims 3-9.

Claims 1-10 remain pending in the application.

Reconsideration of the rejections and allowance of the pending application in view of the following remarks are respectfully requested.

In the Office Action of October 6, 2003, claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Okazaki et al., U.S. Patent No. 6,094,537 (hereinafter Okazaki), and claims 2 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okazaki in view of Okino et al., U.S. Patent No. 4,956,715 (hereinafter Okino). These rejections are respectfully traversed.

It is an object of the present invention to provide an exposure controller which makes it possible to reduce the time necessary for performing the pre-exposure before the main exposure to thereby reduce the time lag between the pre-exposure and the main exposure.

To achieve the above-noted object, an exposure controller of a digital camera of the present invention, as recited in claim 1, includes, inter alia, a photometering sensor, and a control device. The control device calculates a first exposure time in accordance with a photometering value obtained via the photometering sensor, and performs a pre-

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exposure in which a sensitive surface of the image pick-up device is exposed at a second exposure time shorter than the first exposure time. The control device further performs a main exposure in which the sensitive surface of the image pick-up device is exposed at a third exposure time obtained by changing the value of one of the first exposure time and the second exposure time in accordance with a picture signal output from the image pick-up device. The picture signal is output when the image pick-up device is exposed at the second exposure time by the pre-exposure.

Applicant respectfully submits that the references relied upon in the rejections under 35U.S.C. 102(e) and 103(a), considered singly or in any proper combination, do not disclose such a combination of features.

The primary Okazaki reference refers to and is concerned specifically with a pre-exposure time for auto-focusing that is variable in accordance with an optimal exposure time calculated based on a photometering value. In Okazaki, a main exposure is carried out with an optimal exposure time exclusively calculated therefor. In other words, the main exposure time is not varied based upon the pre-exposure time. For example, as described in lines 14-24 of column 6, the longest exposure time is set to 1/30 sec. Thus, when an optimal time is shorter than 1/30 sec., the optimal time is used for exposure, and when an optimal time is longer than 1/30 sec., the exposure time is set to 1/30 sec. See line 56, col. 5-line 24, col. 6.

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On the contrary, in the present invention, the pre-exposure time is made shorter to overcome the drawbacks in the prior art (pages 1 and 2). In particular, as recited in claim 1, the third exposure time for a main exposure is determined by changing the value of one of the first exposure time and the second exposure time. In other words, a picture signal obtained by the pre-exposure (the second exposure time) is utilized in determining the third exposure time, and the main exposure is carried out at the third exposure time. See, also, pages 13-15, and 18 of the specification.

Thus, Okazaki does not anticipate or even render obvious the present invention as recited in claim 1.

Claim 10 also recites, inter alia, as recited in claim 1, that the third exposure time for a main exposure is determined by changing the value of one of the first exposure time and the second exposure time.

The secondary Okino reference is silent to the exposure time, although it is directed to an exposure operation. Therefore, Okino does not overcome the deficiencies of Okazaki.

Thus, even assuming, arguendo, that the teachings of Okazaki and Okino can be properly combined, the asserted combination of Okazaki and Okino would not result in the invention as recited in the claims.

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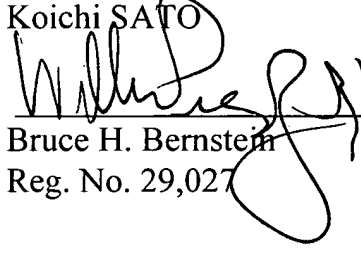
The specification has been amended to correct the description of K in lines 15-18 of page 15 to more closely correspond with the description of lines 22-25 of page 15 and claim 7.

Independent claims 1 and 10 are now in condition for allowance in view of the above-noted remarks. Dependent claim 2 is also submitted to be in condition for allowance in view of its dependence from the allowable base claim and also at least based upon its recitations of additional features of the present invention. It is respectfully requested, therefore, that the rejections under 35 U.S.C. 102(e) and 35 U.S.C. 103(a) be withdrawn.

Based on the above, it is respectfully submitted that this application is now in condition for allowance, and a Notice of Allowance is respectfully requested.

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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Annotated REPLACEMENT SHEET

Fig. 2

